



# State of Utah

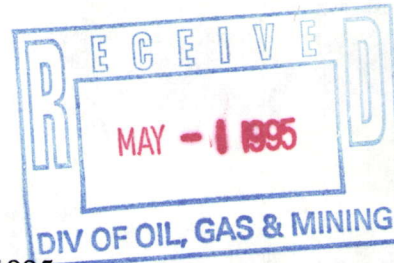
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

Michael O. Leavitt  
Governor

Dianne R. Nielson, Ph.D.  
Executive Director

Don A. Ostler, P.E.  
Director

288 North 1460 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
(801) 538-6146 Voice  
(801) 538-6016 Fax  
(801) 536-4414 T.D.D.



M045017  
PLS FILE

April 21, 1995

**CERTIFIED MAIL**  
**(Return Receipt Requested)**

Dave Beatty  
Environmental/Occupational Health Coordinator  
Barrick Mercur Gold Mine  
P.O. Box 838  
Tooele, Utah 84074

RE: **Notice of Violation** for the Accidental  
Release of Barren Solution, Valley Fill  
Leach Area #3, Permit No. UGW450001;  
Annual Ground Water Permit Inspection  
Report Transmittal

Dear Mr. Beatty:

This is in response to the release of March 13, 1995, a release of approximately 11,250 gallons of Barren solution from the mill pump-back pipeline, approximately 200 yards east of Valley Fill Area #3. We acknowledge receipt of your letter of March 14, 1995, concerning the release. In summary, you estimated that about 40% of the fluid escaped the containment culvert and flowed down the right-of-way, ponding on the east roadway near the heap leach. This fluid, along with accumulated snow melt, was captured and returned to the heap leach. Thus, the amount of fluid not contained or captured was minimal. However, Part I.D.6(a) of the permit requires that Barrick design and maintain its' pipeline systems to "prevent any spills or leakage from contact with the ground surface or ground water." The culvert that contains the mill pump-back pipeline could not entirely prevent the escape of fluids from the ruptured pipe. It is our conclusion that regardless of the percentage of fluids from the spill that were contained or captured, the incident is still in violation of the BAT standard of the ground water permit.



Fortunately the problem was discovered within a short period and the location of the incident was conducive to the rapid response employed by Barrick. Next time the circumstances might not be so user friendly and you should consider whatever appropriate measures are necessary to prevent future, and perhaps more serious, releases of this kind.

It is our finding that Barrick has not fully met the second affirmative defense requirement of Part III.F of the above referenced permit with respect to this incident. It appears that inadequate design allowed the fluids to escape containment following the rupture of the pipeline.

Your letter of March 14, 1995, indicated that Barrick would evaluate the need for any corrective actions to prevent reoccurrence of this type of incident. We would suggest that at a minimum Barrick specify operational procedural modifications that stipulate that during pumping the pipeline will be continually observed so that potential future occurrences will be detected as soon or sooner than the recent incident. Another possibility would be the installation of pressure sensitive devices that would provide immediate warning of sudden drops of pressure within the pipeline. The third and obviously most expensive option would be to retrofit the entire length of pipeline with a total containment design. In your evaluation, you need to recall that two additional pipeline releases have been reported since 1990. Thus, although these incidents are not numerous, reoccurrence of this type of incident is probable. Because Barrick has yet to specify a plan and schedule to meet permit conditions with respect to the prevention of spills from this pipeline we cannot consider Barrick to have demonstrated sufficient compliance with the third affirmative defense requirement of the permit.

Compliance with the other two affirmative defense requirements has been demonstrated. The telephone and written notices of March 14, 1995 satisfy the reporting requirements of the first affirmative defense requirement. Because the discharge probably will have no impact on waters of the state and because no endangerment to the public or the environment occurred the fourth affirmative defense requirement has apparently been achieved. Although not all of the affirmative defense requirements were met, it is our decision that we do not intend to pursue this matter further at this point in time, provided Barrick adequately addresses the issues discussed above.

Any further administrative proceedings in this matter shall be conducted under UCA subsections 63-46b-6 through 63-46b-14 inclusive; and UAC R317-1-8. This Notice of Violation shall be considered final should no written request for a hearing, under the above referenced provisions, be received within 30 days of receipt of this letter. Violations of the Act or Rules or permits thereunder are subject to the penalty provisions of UCA 19-5-115.

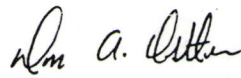
Please find the enclosed annual ground water permit compliance inspection report. No further violations were noted during the inspection of April 5, 1995. We would like to point out that the detection of arsenic in three of the past five monthly samplings of monitoring well MW-13 is a situation that must be closely monitored and evaluated.

Dave Beatty  
April 21, 1995  
Page 3

We understand that the April duplicate sample from area #3 will be from MW-13 in an effort to shed further light on this issue. If you have any questions concerning this letter please contact Dennis Frederick at 538-6146.

Sincerely,

Utah Water Quality Board



Don A. Ostler, P.E.  
Executive Secretary

Enclosure

DAO:DAF:wfm

cc: Brian Slade, Tooele County Health Department  
Attorney General's Office (w/o enclosure)  
Tom Munson, DOGM

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FILE:\GW PERMIT NO. UGW450001

# GROUND WATER INSPECTION REPORT

Company Barrick Mercur Mine Product Heap Leach Area #3

County Tooele Address Mercur Canyon; Tooele Canyon; Utah Date 4/5/95

Company Representatives Dave Beatty/John Worthen & Glen Eurick/Gorden Dorney (Preconference Only) Phone 268-4447

State and County Inspector(s) Dennis Frederick (Utah Div. of Water Quality) Brian Slade (Tooele County Health Dept.)

Reason for Inspection Annual Permit Inspection Visit Expected YES Warrant NO

Company Permits: Ground Water YES UPDES YES Construction YES

Pre-inspection Conference Yes YES No \_\_\_\_\_ Discussions YES

Type of Inspection: Construction \_\_\_\_\_ Operating YES Closure \_\_\_\_\_ Other \_\_\_\_\_

Weather conditions Sunny and warn, mid to lower 60's

Adequacy of facility Records Excellent

Wells or monitoring facilities built to specifications All four wells showed no visible surface damage.

Static Water Levels not measured at this time

Water Quality not measured at this time

Chem Lab used by Company "Chem Lab, Inc." and internal onsite laboratory

Instrumentation adequate? Checked flow meters at plant site and cistern water level meter at edge of heap, both OK.

Condition of Equipment Measuring devices and plant process items appeared in good condition.

Condition of wells, liners, pads, pipelines location of pipeline rupture was repaired and restored to pre-spill configuration

Storage areas, containers Entire process pond is within concreted berm area, which seemed in good repair including the sealing

of all cracks.

Landfills and impoundments not applicable

Pipelines Site of pipeline rupture was repaired, pipeline and containment may not be adequate to prevent future releases

GW Models not applicable

Consultant reports not applicable

Spills or releases Spill was conveyed down access road to low lying area from which it was pumped directly on to the heap

leach. Ponding occurred near monitoring well MW-11, could potentially impact future sampling.

**Corrective actions** Barrick will propose corrective actions (concerning pipeline) after they have reviewed the options

Reports not applicable

Hazardous Wastes or unusual conditions not applicable

General Comments Overall facility operation and management are geared towards meeting requirements of permit.

Water Samples Collected (Lab Numbers) collected previously

Photographs none

Closing Conference not held

Findings, violations, & corrective actions Should site Barrick for minor permit violation because of recent release. Arsenic detected in 3 of last 5 MW-13 samples. Requested duplicate sampling of MW-13 during April to provide additional data.

**Summary of Deficiencies Pipeline Spill = NOV on BAT; Continuing exceedence of permit protection limits for TDS and possible Arsenic problem.**

Signature \_\_\_\_\_ Company Sent Copy

### Additional Inspection Notes

Upper and Lower leakage detection system drainage tanks were checked for the presence of fluids. No fluids were present in the tank from the lower leakage detection system. Several full and empty gallon containers and a measuring column were in the upper system's tank. This system typically relieves 20-40 gallons per month.

The head on the the upper FML was measured at 21.4 feet which is within the permit limit of 30 feet.